

RESOLUTIONS 1986-87 SESSION

Resolution No.	Date of Meeting	Title of Resolution	Action	Remarks and/or Committee Referral
(85/12)	5/2/86	A Resolution on Summer Sessions Calendar	Postponed 3/21/86 to 5/2/86 Adopted 5/2/86	Accepted by the President 7/27/87
86/1	5/2/86	A Resolution of Appreciation for Improved Fringe Benefits	Adopted 5/2/86	Accepted by the President 7/27/87
86/2	5/2/86	A Resolution Regarding Support for the Visual and Performing Arts	Adopted 5/2/86	Referred to Committee on Coordinated Planning
86/3	5/2/86	A Resolution Regarding Advising/Registration	Referred 5/2/86	Referred to Committee on Educational and Admissions Policy for further study
86/4	12/12/86	A Resolution to Establish a Special Committee on Mandatory Retirement	Adopted, as amended 12/12/86	No action required
86/5	1/16/87	A Resolution to Establish a Regularly Updated Publication of <u>Commitments</u>	Adopted 1/16/87	Implementation will await clarification of Resolutions 86/5 and 86/12
86/6	1/16/87	A Resolution Regarding Retention of Graded Exams and Papers Not Returned to Students	Adopted, as corrected 1/16/87	Accepted by the President 7/27/87
86/7	1/16/87	A Resolution to Recommend Amendment of the <u>Faculty Code</u> Provisions Relating to the Removal of Tenure	Recommitted to PEA Committee 1/16/87	Recommitted to PEA Committee with instructions to bring this resolution back to the Senate at its March 13, 1987, meeting
86/8	3/13/87	A Resolution To Amend <u>Faculty Code</u> Provisions Relating to the Termination of Tenure and Academic Freedom	Adopted, as altered 3/13/87	Accepted by the President 7/27/87 <i>Approved by Board 10/15/87</i>

RESOLUTIONS 1986-87 SESSION

Resolution No.	Date of Meeting	Title of Resolution	Action	Remarks and/or Committee Referral
86/9	3/13/87	A Resolution Recommending Changes in the University Grading System	Adopted 3/13/87	Accepted by the President 7/27/87 (SEAS excepted)
86/10	3/13/87	A Resolution to Request Adequate Time for Consultation with Faculty on Consolidation of School of Public and International Affairs	Adopted, as altered 3/13/87	Accepted and approved by the President 7/27/87 (as modified by further actions of appropriate Senate chairs)
86/11	3/13/87	A Resolution to Establish a Special Committee on Consolidation of the School of Public and International Affairs	— Adopted 3/13/87	Accepted and approved by the President 7/27/87 (as modified by further actions of appropriate Senate chairs)
86/12	4/10/87	A Resolution to Establish The George Washington University Office for Service to the Community	Adopted 4/10/87	Implementation will await clarification of Resolutions 86/5 and 86/12 <i>after established 1988</i>
86/13	4/10/87	A Resolution to Endorse the Report of the Special Committee on Conflict of Interest	Referred 4/10/87	Referred to the Professional Ethics and Academic Freedom Committee for recommendations
86/14	4/10/87	A Resolution of Appreciation (for Professor William B. Griffith)	Adopted by acclamation 4/10/87	No action necessary.

Revised Version

A RESOLUTION ON SUMMER SESSIONS CALENDAR (85/12)

WHEREAS, the Academic Calendar (Resolution 84/13) approved by the Senate on January 18, 1985, did not fully accommodate the Summer Session needs of several schools; and

WHEREAS, the Committee on Educational and Admissions Policy was asked to study the current Summer Sessions Calendar and make recommendations for changes; and

WHEREAS, the matter was considered at length by a committee representative of various schools, including those whose needs had not been fully met by the current Summer Sessions Calendar; and

WHEREAS, the proposed calendar will accommodate the expressed requirements of various schools; NOW
THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE
WASHINGTON UNIVERSITY

That the attached Calendar be accepted for Summer 1987 and that it serve as the model for future Summer Sessions Calendars.

Committee on Educational and Admissions Policy
February 27, 1986

Postponed, March 21, 1986,
to May 2, 1986, meeting

Adopted May 2, 1986

SUMMER 1987

MAY

					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY

			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST

						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					



GENERAL REGISTRATION



HOLIDAY



START OF CLASSES



END OF CLASSES

NOTE: Fall Semester 1987: Advising-Aug.27,28;Registration-Aug.31,Sept.1,2
Classes- Sept.2

SUMMER SESSIONS TIME PERIODS

MAY 19 --5 wks (26 classes) -- JUNE 24

JUNE 25 -- 5 wks (26 classes) --JULY 31

MAY 19 --8 wks(39 classes) -----JULY 14

MAY 19 --3 wks ---JUNE 5

JUNE 25 --3 wks--JULY 14

JULY 15 --5 wks-----AUG 18

JULY 15 --3 wks---JULY 31

MAY 19--10 wks-----JULY 30

MAY 19--13 wks-----AUG 18

EXPLANATION OF PROPOSED CALENDAR:

1. Two General Registration Dates: May 18 and June 25

May 18 for classes beginning May 19 for the first five week session
June 25 for classes beginning also on June 25 for the second five week session

2. Two Five-Week Sessions:

May 19 -- June 24
June 25 -- July 31

3. Additional Sessions which accommodate special needs of SGBA, SEHD, SEAS:

SGBA:

8 Week Early Session May 19--July 14
5 Week Late Session July 15--Aug. 18

SEHD:

Three 3 Week Sessions: May 19--June 5
June 25--July 14
July 15--July 31

SEAS:

10 Week Session May 19--July 30
13 Week Session May 19--Aug 18

4. Meeting days and time bands for the summer should provide, in so far as possible, the same amount of time provided by the 14 week Fall and Spring semesters of the new Calendar (i.e., 2,100 minutes of class contact time per semester)
5. Three week sessions of SEHD: each session provides for 13 meetings and time bands to be constructed to provide as closely as possible the 2100 minutes of contact time recommended for each class

A RESOLUTION OF APPRECIATION FOR IMPROVED FRINGE BENEFITS (86/1)

WHEREAS, the University Administration has designed a series of changes in the "fringe benefits" available to faculty and staff; and

WHEREAS, the Board of Trustees of the University has approved the implementation of these changes; and

WHEREAS, the approved changes represent a significant enhancement of the non-salary component of total compensation, and a marked improvement in the comparative standing of the University, vis-a-vis other universities, in this respect; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the Faculty express its appreciation to the Administration and to the Board of Trustees for this concrete and substantial evidence of their care and concern for the faculty and staff, and of their continuing efforts to place The George Washington University within the first ranks of the nation's universities.

Committee on Appointment, Salary and
Promotion Policies
April 18, 1986

Adopted May 2, 1986

A RESOLUTION REGARDING SUPPORT FOR THE VISUAL AND PERFORMING ARTS (86/2)

WHEREAS, the quality of life in the campus community is reflected strongly in the quality of its program of cultural activities;
NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the Faculty Senate, the Student Association, and the University Administration should promote the commitment of substantial resources to the Visual and Performing Arts in at least the following ways:

1. providing merit scholarships on the basis of creative potential; and
2. substantially improving the quality and availability of gallery and performance facilities.

Joint Committee of Faculty and Students
April 11, 1986

Adopted May 2, 1986

A RESOLUTION REGARDING ADVISING/REGISTRATION (86/3)

WHEREAS, the quality of student life in the campus community is dependent on the quality of the advisor/student relationship and its impact on the student's academic program of studies; and

WHEREAS, implementation of an effective and efficient advising system depends heavily on the availability of effective and efficient registration procedures; and

WHEREAS, effective advising encompasses knowledge of the demands of disciplines and the professions toward which they point, the technical processes of curricular planning, and the personal, developmental situation of students; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the Faculty Senate, the Student Association, and in particular, the University Administration should commit substantial energy and resources to the development and improvement of the current advising/registration systems and procedures, including:

1. encouraging and promoting increased faculty commitment and participation through the use of incentives;
2. increasing professional staffing in the appropriate administrative offices;
3. enhancing both the use and training of Peer Advisors and the coordination of Peer Advising and faculty/professional activity;
4. increasing systematic training of faculty and staff advisors;
5. establishing guidelines for minimum required contact time between students and advisors;
6. installing on-line registration computer capability for use by all faculty and staff advisors; and
7. providing for the scheduling of pre-registration which is spread out over a period of weeks rather than days each semester.

Joint Committee of Faculty and Students
April 11, 1986

Referred to the Educational and Admissions Policy Committee
on May 2, 1986

A RESOLUTION TO ESTABLISH A SPECIAL COMMITTEE
ON MANDATORY RETIREMENT (86/4)

WHEREAS, when the Congress of the United States in October 1986 amended the Age Discrimination in Employment Act of 1967 to eliminate mandatory retirement at age 70, it also enacted an exemption permitting mandatory retirement at age 70 for tenured university faculty until 1994; and

WHEREAS, there is sufficient uncertainty about how the elimination of mandatory retirement at 70 will affect university faculties and higher education that the Congress has directed a study of its potential impact; and

WHEREAS, because of the need of the University community to consider the detrimental impact of present mandatory retirement policies on faculty members who are willing and able to teach after they are 70, and to consider what effect elimination of mandatory retirement would have on the system of continuous tenure appointments, it behooves the University community to begin to prepare for the expiration of this exemption well in advance of this change; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE
WASHINGTON UNIVERSITY

That a Special Committee to Study Mandatory Retirement be elected by the Faculty Senate, upon nomination by the Executive Committee, to be constituted of eight faculty members, one representative and one alternate representing each degree-granting school (with the Vice President for Academic Affairs serving ex officio), and to be charged, as follows:

(1) to seek to identify any shifts in the pattern of retirements of university faculty in the eight years since the retirement age was raised from 65 to 70, to project how faculty retirement choices might be affected by uncapping retirement, and how this, in turn, would impact on recruitment of new faculty in the early 1990's;

(2) to seek to ascertain whether any educational institutions comparable to GW have abolished mandatory retirement and to examine their experience;

(continued)

Resolution 86/4 (cont'd)

(3) to attempt to assess, through interviews with retired faculty, departments, and/or school personnel committees, or otherwise, what the costs of mandatory retirement are for both individual faculty members and for the departments and schools that they leave;

(4) to attempt to identify various combinations of reduced teaching, research, and administrative responsibilities with attendant reductions in remuneration which could be made available to senior faculty members allowing those who are willing and able to continue to contribute to GW and to do so with dignity; in this regard, it may be useful to examine retirement practices in corporations, law firms, and other professional organizations;

(5) to identify steps that might be taken with regard to retirement benefits that might make early retirement economically more attractive;

(6) to report its findings to the Faculty Senate no later than February 28, 1988; and

(7) to recommend to the Faculty Senate any new policies which should be considered now or to respond to the situation which the University will face in the mid-1990's, including the advisability of possible changes in initial appointments to or removal from tenured status, and on the position GW should take before Congress at the time of the expiration of the seven-year exemption for faculty.

Executive Committee of the Faculty Senate
November 21, 1986

Adopted, as amended, December 12, 1986

A RESOLUTION TO ESTABLISH A REGULARLY UPDATED PUBLICATION
OF COMMITMENTS (86/5)

WHEREAS, a knowledge of the University's various services to the Washington, D.C. metropolitan area can help to clarify the relationship between the university and the community; and

WHEREAS, the 1985 publication, Commitments, served a useful purpose in documenting those services; and

WHEREAS, the documentation of The George Washington University's service to and interrelationship with the City of Washington and its environs needs to be maintained and updated periodically; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

(1) That the University provide on a regular basis, the funding and staff support for the documentation of the University's various services to the Washington, D.C. metropolitan area in the form of a publication similar to Commitments; and

(2) That the publication be circulated within the University community and copies sent to key agencies and organizations in the public and private sectors in the Washington area.

Committee on University and Urban Affairs
November 24, 1986

Adopted January 16, 1987

A RESOLUTION REGARDING RETENTION OF GRADED EXAMS AND PAPERS
NOT RETURNED TO STUDENTS (86/6)

WHEREAS, students have a right to see exams and papers submitted at the end of the semester which have not been returned but which are included in their academic evaluation; and

WHEREAS, the Statement of Students Rights and Responsibilities, Section II.B., guarantees students protection against improper evaluation; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE
WASHINGTON UNIVERSITY

That the following language be added to the
Faculty Handbook:

RETENTION OF GRADED EXAMS AND PAPERS NOT
RETURNED TO STUDENTS

Faculty shall retain examinations and papers which have been submitted at the end of a semester, which have not been returned to the student and which affect course grades, for a period of one semester following that in which said examinations and papers were submitted.

Students shall have access to ~~these~~ their examinations and papers during the retention period.

Measures shall be taken to protect confidentiality of such materials.

Committee on Educational and Admissions Policy
December 4, 1986

Adopted, as corrected, January 16, 1987

A RESOLUTION TO RECOMMEND AMENDMENT OF THE FACULTY CODE
PROVISIONS RELATING TO THE REMOVAL OF TENURE (86/7)

WHEREAS, the Faculty Code presently provides that grounds for termination of faculty tenure include "lack of scholarly objectivity or integrity"; and

WHEREAS, scholarly objectivity, while highly desirable, inevitably eludes impartial assessment and evaluation; and

WHEREAS, this provision of the Faculty Code unreasonably risks the values of faculty tenure, including academic freedom; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE
WASHINGTON UNIVERSITY

That Section V.C.1.b) of the Faculty Code be amended to read:

"b) lack of scholarly integrity;"

Committee on Professional Ethics and Academic Freedom
December 11, 1986

Recommitted, January 16, 1987, to PEAFF Committee for reconsideration
at the March, 1987, Senate meeting.

A RESOLUTION TO AMEND FACULTY CODE PROVISIONS RELATING TO
THE TERMINATION OF TENURE AND ACADEMIC FREEDOM (86/8)

WHEREAS, the preamble of Senate Resolution (86/7) has already set forth reasons for recommending that Section V.C.1.b of the Faculty Code be amended to delete the words "objectivity or" from the grounds for termination of tenure presently stated as: "lack of scholarly objectivity or integrity"; and

WHEREAS, the Faculty Senate on January 16, 1987, voted to recommit Resolution (86/7) with instructions to consider whether the ~~that-the-desirable~~ ideal of scholarly objectivity be restated, in some form, elsewhere in the Code; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the following passage, underlined, be added to Code Section "II.B. Academic Freedom:"

"B. A faculty member shall enjoy freedom of expression. In the classroom, a faculty member's exposition shall be guided by requirements of effective teaching, adherence to scholarly standards, and encouragement of freedom of inquiry among students. In speaking and writing outside the University, a faculty member shall not attribute his personal views to the University."

- (2) That Section V.C.1.b.) of the Faculty Code be amended to read:

"b) lack of scholarly integrity."

Committee on Professional Ethics and Academic Freedom
February 6, 1987

Adopted, as altered, March 13, 1987

*Underlined language in line 3 of the second WHEREAS clause represents alteration made by the Professional Ethics and Academic Freedom Committee upon introduction of this resolution.

A RESOLUTION RECOMMENDING CHANGES IN THE
UNIVERSITY GRADING SYSTEM (86/9)

WHEREAS, it is important that the grading system for courses be as reflective of academic performance as possible; and

WHEREAS, the letter grades A, B, C and D represent ranges of performance which, in many cases, are large ranges;
NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE
WASHINGTON UNIVERSITY

- (1) That the University grading system be expanded to include the grades A-, B+, B-, C+, C-, D+ and D- for all courses taken for undergraduate credit for all divisions;
- (2) That, for such purposes as calculating the QPI, the corresponding number equivalents shall be:

A	4.0
A-	3.7
B+	3.3
B	3.0
B-	2.7
C+	2.3
C	2.0
C-	1.7
D+	1.3
D	1.0
D-	0.7

- (3) That this policy be implemented starting with the 1987 Fall Term and that appropriate notation of the date of inception of this policy and that it is not retroactive be included on student transcripts.

Committee on Educational and Admissions Policy
January 29, 1987

Adopted, March 13, 1987

A RESOLUTION TO REQUEST ADEQUATE TIME FOR CONSULTATION
WITH FACULTY ON CONSOLIDATION OF SCHOOL OF PUBLIC AND
INTERNATIONAL AFFAIRS (86/10)

WHEREAS, the SPIA Review Committee, appointed by Vice President French and chaired by Assistant Vice President Coates, in a Report dated January 20, 1987, and forwarded to the Faculty Senate on February 20, 1987, recommends twelve important actions to strengthen and consolidate the position of that School; and

WHEREAS, under Article IX of the Faculty Code, by Sec. A, "the Faculty Senate...is entitled to the opportunity to make recommendations on proposals concerning the creation, consolidation, or elimination of schools, colleges, or other major components of the University," and by Sec. B, it is entitled to adequate time to provide considered advice; and

WHEREAS, numerous members of the faculty, acting both individually and collectively, have brought to the attention of the Executive Committee of the Faculty Senate serious questions about the factual basis of the Coates Committee's recommendations and about the difficulty in assessing the consequences which would result from implementation of these recommendations; and

WHEREAS, these recommendations may affect the status and rights of individual faculty members, the ability of the discipline-based departments involved to carry out adequately their responsibilities, and all other departments and schools of the University; and

WHEREAS, it has been proposed by the administration, (Vice President French's Remarks to SPIA Faculty, February 6, 1987, pp. 7-8), that this planned reconstitution be reported to the Board of Trustees in May, 1987; and

Resolution 86/10 (cont'd)

WHEREAS, such a schedule would not allow the faculty sufficient time, individually and collectively to assess the proposals, develop and present their views to the Faculty Senate, and guide the Senate's recommendation in this important matter;
NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the proposed schedule for carrying out the reconstitution of the School of Public and International Affairs be revised to delay presentation for approval of a plan to reconstitute the faculty of the School to the Board of Trustees, or any of its committees, until the Board's October 1987 meeting, in order to allow sufficient time for the Faculty Senate to hear from concerned faculty, to gather information, to analyze alternative suggestions for implementation, and to debate the issues involved, prior to formulating its recommendations to the administration.

Executive Committee of the Faculty Senate
February 27, 1987

Adopted, as altered,* March 13, 1987

*Underlined language in lines 4-5 of
RESOLVING clause represents alteration
made by Executive Committee upon introduction
of this resolution.

A RESOLUTION TO ESTABLISH A SPECIAL COMMITTEE ON
CONSOLIDATION OF THE SCHOOL OF PUBLIC AND INTERNATIONAL
AFFAIRS (86/11)

WHEREAS, before making its own recommendation, the Faculty Senate desires to give careful consideration to the various elements of the consolidation now being proposed for the School of Public and International Affairs, and also to the questions and objections being voiced by numerous concerned faculty; and

WHEREAS, deliberations on these complex matters in the Faculty Senate will be more effective if information is gathered systematically, issues delineated, and opposing arguments well-developed prior to debate on the floor; and

WHEREAS, without guidance from the Faculty Senate as to its concerns, the faculties of the several affected schools, each deliberating independently of the others, may not provide the comprehensive view or raise all of the questions appropriate from the perspective of the Senate; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE
WASHINGTON UNIVERSITY

That a Special Committee be, and hereby is established, its membership to be nominated by the Executive Committee for election by the Senate, to be charged as follows:

- (1) on behalf of the Faculty Senate, to contact the faculties and appropriate committees of the schools principally affected, asking their views on the recommended changes and placing before them relevant questions on which the Senate would be likely to need their advice; and
- (2) to solicit on behalf of the Senate the views of the faculties of any other schools which may wish to offer opinions or recommendations; and

-continued-

Resolution 86/11 (continued)

- (3) to assist further the Senate in preparing to debate the recommended consolidation by delineating the principal issues, organizing the opposing arguments, and, as appropriate, preparing specific recommendations for the Senate's consideration; and
- (4) to report to the Faculty Senate on these matters as soon as feasible but not later than its September 1987 meeting, so that the Senate may make its recommendation in timely fashion.

Executive Committee of the Faculty Senate
March 12, 1987

Adopted March 13, 1987

A RESOLUTION TO ESTABLISH THE GEORGE WASHINGTON UNIVERSITY
OFFICE FOR SERVICE TO THE COMMUNITY (86/12)

WHEREAS, the Faculty Senate Resolution 86/5 has formally recognized the importance of service to the Washington, D.C. metropolitan area and the University's dedication to civic responsibility; and

WHEREAS, this type of service supports the Report of the Commission for the Year 2000; and

WHEREAS, it is important for the University to demonstrate its awareness of community needs by responding to requests for assistance from key agencies and organizations, both public and private, in our community; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the University provide the funding and staff support for the creation of The George Washington University Office for Service to the Community which will receive requests from the community for assistance and provide information and placement for interested students, faculty, administrators, staff, and alumni; and
- (2) That this University Office be placed under the Office of the Vice-President for Academic Affairs for administrative and budgetary support.

Committee on University and Urban Affairs
March 24, 1987

Adopted, April 10, 1987

(The Committee on University and Urban Affairs recommends that the Vice-President for Academic Affairs consider locating The George Washington University Office for Service to the Community in the Office of Laboratory Experiences in the School of Education and Human Development because of its proven commitment, experience, and high regard for community service, and also because it would minimize expenses.)

A RESOLUTION TO ENDORSE THE REPORT OF THE SPECIAL COMMITTEE
ON CONFLICT OF INTEREST (86/13)

WHEREAS, a Special Committee was established in accordance with SR 85/10 to make recommendations regarding a University policy on conflict of interest; and

WHEREAS, this Special Committee was charged to review the previous proposals of the Bowles Committee and consider administrative objections to these proposals, as well as to examine parallel efforts at other universities to establish conflict of interest policies; and

WHEREAS, this Special Committee has prepared its report after working on it over the past twelve months and would like to be discharged; and

WHEREAS, it is in the best interest of The George Washington University to have a policy of conflict of interest; NOW, THEREFORE,

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

I. That the Senate endorses the recommendations of the Special Committee on Conflict of Interest, in particular:

- (1) the Introductory Statement and Sections A (The Role of Faculty) and B (Conflicts of Interest);
- (2) Section C (Activities Requiring Authorization);
- (3) Section D (Abuse of Faculty Position); and
- (4) Section E (Reporting Requirements).

II. That the Senate further recommends that, upon approval by the President, language reflecting these policies be added to the Faculty Handbook or that these policies be printed as a separate Conflict of Interest pamphlet for periodic distribution to the faculty.

The Special Committee on Conflict of Interest
March 13, 1987

Referred April 10, 1987, to the Professional Ethics and Academic Freedom Committee for recommendations

REPORT
of the Committee on
Conflict of Interest

INTRODUCTORY STATEMENT

Acknowledging the fact that the committee has had to confront the delicate issue of deciding what can or cannot be properly undertaken as professional activity -- and thus producing "regulations" -- it is anxious to establish at the outset its commitment to the idea that a variety of types of research funding as well as cooperative research in the private and governmental sector, given appropriate safeguards, is wholly to be encouraged. The University is urged to explore various avenues for professional development, including entrepreneurial and consulting activities, so long as such activities do not conflict with the basic role of the professor in teaching, research and University or community activities.

In its deliberations as to what would constitute a conflict of interest between a full-time faculty member (hereinafter referred to as "faculty member" or "faculty members" and the University, the committee undertook the following:

- (A) To examine and define the expected role of a faculty member.
- (B) To define broadly a conflict of interest in the context of a faculty member's expected role.
- (C) To identify activities with a clear potential for conflict which require prior consultation and authorization.
- (D) To identify certain activities which if engaged in by a faculty member could constitute an abuse of the faculty member's position.
- (E) To list certain activities to be included in the faculty member's annual report.

A. THE ROLE OF FACULTY

It is the consensus of the committee that the role of a faculty member at this institution has two primary functions:

- (1) To pursue research, the results of which are to be communicated openly in meetings, expositions, recitals, journals, books or in other appropriate media according to discipline. Where appropriate, students should collaborate, sharing in the evolution of this work with a view to fulfilling their own research potential and

professional skills, (2) To teach the faculty member's discipline to students, instilling in them not only factual knowledge, but the necessary methods to obtain and synthesize this knowledge, a critical faculty and standards of integrity and excellence.

The balance between teaching and research shall be determined by the inclination and attributes of the professor adapted to the needs of the department or school.

In addition to these academic roles, a faculty member should also contribute to the administrative, ceremonial or extra curricular activities of the University. This contribution may extend to work involving the relationship of the University to its environment. The extent of these activities will vary considerably in relation to the experience, academic position and personal inclination of the faculty member.

B. CONFLICTS OF INTEREST

It is the further consensus of the committee that a conflict of interest in the expected role of a faculty member could arise in any situation in which financial or any other personal interests of a faculty member may compromise or call in question:

1. The objectivity of a faculty member as a scholar.
2. The appropriate fulfillment of the faculty member's role as a teacher and/or researcher.
3. The adequate performance of the faculty member's other obligations, assumed as a faculty member to the University.

C. ACTIVITIES REQUIRING AUTHORIZATION

It is the further consensus of the committee that the following activities clearly represent potential conflicts of interest with the expected role and duties of a faculty member and therefore require consultation with and the written authorization of the dean of the faculty member's particular school (or the dean's appointed representative) prior to being undertaken. Where such written authorization is obtained, a copy shall be forwarded for informational purposes to the Office of the Vice-President for Academic Affairs. If the faculty member's request is denied, the dean will provide prompt written justification for the denial, and the faculty member may appeal this rejection in writing to the Vice President for Academic Affairs.

Failure to engage in prior consultation and to obtain the prior written authorization of the faculty member's dean is inconsistent with the expected role and duties of the faculty member and constitutes a conflict of interest.

1. Holding a regular appointment outside the University during the academic year as defined in the faculty member's contract.
2. Teaching a course (including a training program) at another institution or organization during the academic year as defined in the faculty member's contract. In the case of teaching at another institution (excluding a training program) the authorization of the Vice-President for Academic Affairs must also be obtained.
3. Engaging in external professional activity with pay in excess of stated University policy. "External professional activity for pay" as used herein shall include any activity that (a) is performed for an entity other than a unit of the George Washington University; (b) is based upon the professional knowledge, experience, and abilities of the faculty member; and (c) is undertaken for compensation to the individual (beyond the payment of a nominal honorarium or reimbursement for expenses or both). Where applicable, stated University policy is one day per week and is normally computed as 8 hours per week during the academic year as defined in the faculty member's contract. This restriction shall be applicable only during the academic year as defined in the faculty member's contract.
4. Undertaking research upon terms that require that the results of the study be held confidential or unpublished. This provision shall not apply to the "external professional activity" in which the faculty member is permitted to engage during the "one day per week" exclusion.
5. Conducting research upon terms that constrain the investigator to produce or suppress particular findings or to give support to a particular conclusion or policy. This provision shall not apply to the "external professional activity" in which the faculty member is permitted to engage during the "one day per week" exclusion.
6. Participating, except as a consultant, in a research proposal or research contract outside of the auspices of the University's Office of Sponsored Research.
7. Submitting a proposal for sponsored research independently of the University's Office of Sponsored Research.
8. Engaging in sponsored research at the University under the auspices of or with the support of a business entity in which the faculty member or a family member holds a financial interest or serves as an officer, director, shareholder, employee or consultant.

D. ABUSE OF FACULTY POSITION

It is the consensus of the committee that certain conduct by faculty can constitute an abuse of the faculty member's privileged position in the University. The following items have been identified as capable of abuse by faculty and in connection with each of these the committee would require the stated appropriate action.

All faculty members during the entire calendar year are expected to exercise an arms-length, hands-off relationship with their students and not view them as targets of business opportunities.

1. Valuable gifts or favors. A faculty member may not accept valuable gifts or favors from students or others who are in a position to gain any benefit from a faculty member's obligation.
2. University resources and facilities. The position of a faculty member carries access to a variety of University facilities and services. These include, but are not necessarily limited to, research assistants, secretarial services, computer facilities, laboratory materials and equipment, photocopying, and telephone usage. In many cases, the university has set up formal procedures which allow faculty members to compensate the University for use of these facilities for activities related to the faculty member's external remunerative or entrepreneurial activity. It is the responsibility of faculty members to inform responsible university officials of such use of facilities and services, secure permission for their use, and pay compensation set by the University. Procedures for arranging compensation should be arranged by the University and made apparent to faculty. Failure of faculty to reveal their use and pay compensation is an abuse of faculty privilege.
3. Student employment. A faculty member may not employ or arrange to employ a student over whom the faculty member has or should reasonably expect to have academic control in the faculty member's remunerative and entrepreneurial activity.
4. Faculty employment. A faculty member may not enter into any employee relationship with a student over whom a faculty member has or should reasonably expect to have academic control.

E. REPORTING REQUIREMENTS

It is the further consensus of the committee that the following activities and relationships are sufficiently related to the scope of obligations assumed by the faculty member to the University to warrant their inclusion in the faculty member's annual report. All activities listed above which require prior approval will also be itemized in the annual report. Except where one of the above provisions refers to the calendar year, the annual reporting requirement refers to activities undertaken during the academic year as defined in the faculty member's contract.

1. A description of any private entrepreneurial activity engaged in by the faculty member as a sole entrepreneur.
2. A description of any partnership entrepreneurial activity engaged in by the faculty member and a description of the partnership's business purpose.
3. A listing of the offices held in any and all profit or non-profit corporations and the faculty member's duties with respect to holding those offices.
4. A listing of the corporations, partnerships or associations whether profit or non-profit for which the faculty member acts as a consultant or advisor.

Members of the Special Committee on Conflict of Interest:

Peter P. Hill (Columbian College)
Michael J. Jackson (Medical Center)
Daniel R. Kane (SGBA)
Joshua I. Schwartz (Law Center)
Nozer D. Singpurwalla, Co-Chair (SEAS)
Charles S. Tidball (Medical Center)
Anthony M. Yezer (Columbian College)
John E. Ziolkowski, Co-Chair (Columbian College)

(ex officio members)

Roderick S. French, represented by Anthony G. Coates
Carl S. Lange
Henry Solomon

March 13, 1987

March 23, 1987

TO: Faculty Senate Executive Committee
FROM: Tony Yezer
RE: Minority Report On Conflict Of Interest

This minority report will generally be structured as a series of proposed amendments to the resolution reported out by the Special Committee on Conflict of Interest (hereafter the CCI) of which I was a member. Given the number and extent of problems, particularly omissions, which I see with the resolution proposed by the committee, perhaps the wisest action for the Senate would be to appoint a new committee with more detailed instructions.

Before recommending specific amendments to the substantive portion of the resolution, I would offer some specific observations on the charge of the CCI as stated in the second "whereas" clause. The CCI had at its disposal the report And on the Seventh Day: Faculty Consulting and Supplemental Income by Carol M. Boyer and Darrell R. Lewis (Report 3, ASHE-ERIC Higher Education Reports 1985, Clearing House on Higher Education, The George Washington University). Because the resolution seems to draw little from this comprehensive study of Conflict of Interest, or from the Bowles Committee Report, I have undertaken to list the main findings of the "Seventh Day" Report which is itself a summary of several studies of faculty consulting and Conflict of Interest. The major findings in the executive summary are:

- 1) "faculty who consult for pay are more likely to be employed in universities than in colleges, to hold higher academic rank, to have higher base salaries, to be among the more distinguished faculty, and to be from one of the professional fields or the sciences." pg. v.
- 2) "contrary to conventional wisdom, faculty consulting does not appear to be increasing appreciably even though real faculty salaries have significantly declined in the past decade or so." pg. v.
- 3) "The available evidence clearly suggests that those faculty who consult are, on average, at least as active in their other faculty roles as their peers who do not consult." "In short, it seems that faculty who do consult do so not at the expense of their other institutional responsibilities." pg. v.
- 4) "In fact, it appears that most faculty are motivated by other important factors (other than monetary), such as potential benefits to their careers, potential benefits to their instruction and research, and social demand." pg. vii
- 5) "in some institutions the policies and procedures are unnecessarily restrictive and even unmanageable. In sum, more explicit and carefully developed institutional policies and procedures governing faculty consulting and other activities producing supplemental income clearly are in order." pg. vii.

This fifth point is supported by a detailed analysis on pages 45-58. Where policies exist they generally lack realistic monitoring procedures, enforcement, or sanctions. For example, with regard to provisions for prior approval, the report states that:

"such approval must be obtained from the department head and/or dean, although in many institutions faculty members did not follow this procedure closely or administrators enforce it." pp 51-52.

My own inquiries indicate that, at other universities, the level of faculty awareness of and compliance with conflict of interest policies falls well below official standards of the stated policy.

Proposed Amendments To The Resolution:

- 1) In I. 1) Under B. "CONFLICTS OF INTEREST"
Eliminate "or any other personal"
- 2) In I. 2) (Section C) First Paragraph between "consultation" and "with"
insert "using a standard form developed for the purpose"
- 3) In I. 2) (Section C) First Paragraph
add to end of last sentence "who shall appoint a committee of faculty to deal with such appeals."
- 4) In I. 2) (Section C) Item 2.
eliminate "(including a training program)", change "institution or organization" to "college or university" and drop "In the case of teaching at another institution (excluding a training program)"
- 5) In I. 2) (Section C) Items 4, 5, 6, and 7.
eliminate Items 4, 5, 6, and 7 and renumber item 8 as item 4.
- 6) In I. 2) (Section C) after renumbered item 4
insert Item 5. "Serving as an executive officer of a corporation."
- 7) In I. 2) (Section C) after new item 5
insert new item 6. "Accepting valuable gifts or favors from students or the immediate family of students over whom the faculty member has or should reasonable expect to have academic control."
- 8) In I. 3) (Section D)
eliminate second paragraph "All faculty...business opportunities."
eliminate items 1, 3, and 4.
- 9) In I. 4) (Section E) after item 4
add as item 5. "A listing of proposals, whether for research grants or contracts, and whether submitted for potential public or private funding, on which the faculty member's name appeared in any capacity."
- 10) In I. 4) (Section E) after new item 5 above
add as item 6. "A listing of all outside lecturing, tutoring, or training programs conducted for pay."
- 11) In I. 4) (Section E) after new item 6 above.
Faculty members are obligated to make a complete and factual disclosure of activities under the annual reporting requirement and appropriate forms should be developed for this purpose. These annual reports should be reviewed promptly by deans and faculty members given written reports of their state of compliance with conflict of interest. In the case of an unfavorable report, faculty may submit a written reply which would be added to the report before any unfavorable action was taken in connection with possible conflict of interest violations.
- 12) Add new point to the resolution after I.E.

I. F. (Section F)

FACTORS LIKELY TO MITIGATE A POTENTIAL CONFLICT OF INTEREST SITUATION

In considering a request made by a faculty member under conflict of interest regulations, the following factors favoring the request should be considered.

1. If the proposed professional activity will result in research or other scholarly activity which is unconstrained in its conclusions and fully disclosed.
2. If the proposed professional activity results in scholarly products or high quality including books, articles, performances, lectures, exhibitions, etc.
3. If the proposed professional activity could not easily be done through the auspices of the George Washington University because of facilities limitations, access to data, etc.

A RESOLUTION OF APPRECIATION (86/14)

WHEREAS, William B. Griffith has earned the respect and gratitude of the entire University community; and

WHEREAS, his term of service on the Executive Committee of the Faculty Senate has reached its statutory limit; therefore

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the following citation be issued:

In recognition of his contributions to The George Washington University during twenty-three years of service to his students and colleagues as Assistant Professor, Associate Professor, and Professor of Philosophy, and as Chairman of the Department of Philosophy;

In recognition of his thoroughness, patience, and objectivity in resolving complex issues faced by this academic community; and

Especially in recognition of his dedicated service for fourteen years on the Faculty Senate, including five years as Chairman of the Professional Ethics and Academic Freedom Committee, and three years as Chairman of of the Executive Committee:

THE FACULTY SENATE

OF

THE GEORGE WASHINGTON UNIVERSITY

CITES

PROFESSOR WILLIAM B. GRIFFITH

FOR

DISTINGUISHED SERVICE



April 10, 1987

Adopted by acclamation April 10, 1987

Lloyd H. Elliott
Lloyd H. Elliott
President